



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

AMERICAN FEDERATION OF STATE, COUNTY AND
MUNICIPAL EMPLOYEES, LOCAL 2986

Petitioner

and

TOWN OF MERRIMACK, NEW HAMPSHIRE

Respondent

CASE NO. A-0459:9

DECISION NO. 89-50 (A)

AMENDED

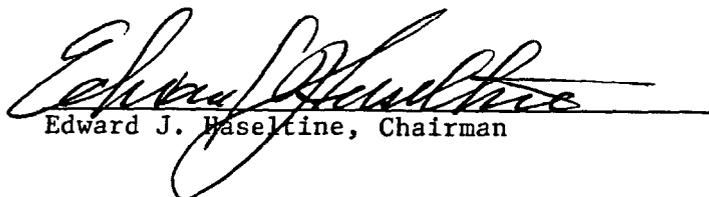
TEMPORARY CEASE AND DESIST ORDER

PELRB amends its August 3, 1989 Order, Decision No. 89-50 as follows:

The Town of Merrimack is hereby ORDERED to Cease and Desist from the enactment of the 4-day workweek for all unit members of the Highway Department and Wastewater Treatment Facility effective August 13, 1989. This action is taken on the basis that there is no dispute with respect to the actual allegations made in the petition; that those facts, as such, are a per se violation of RSA 273-A, State Employees Association of N.H., Inc. v. Board of Trustees, New Hampshire State Prison v. N.H. Public Employee Labor Relations Board 118 NH 466, 338 A.2d 203, 6/27/78; that it is in the public interest to preserve and enforce the rights of both employees and management under the Act; and, that a per se violation creates that public interest.

Written evidence of compliance to this order should be received in our office no later than 4:30 p.m., Monday, August 14, 1989.

Signed this 9th day of August, 1989.


Edward J. Haseltine, Chairman

By unanimous vote: Chairman Edward J. Haseltine, members Richard E. Molan and Seymour Osman present and voting. Also present, Executive Director, Evelyn C. LeBrun.



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AND MUNICIPAL EMPLOYEES, LOCAL 2986 :		:
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Petitioner :		:
		:
and :	CASE NO. A-0459:9	:
		:
TOWN OF MERRIMACK :	DECISION NO. 89-50	:
		:
Respondent :		:
		:
_____		:

TEMPORARY CEASE AND DESIST ORDER

The Town of Merrimack is hereby ORDERED to Cease and Desist from continuing the unilateral implementation of changes in conditions of employment for all unit members of the Highway Department and Wastewater Treatment Facility pending a hearing on the merits of the unfair labor practice case filed by Local 2986, AFSCME (Case #A-0459:9) for failure to bargain in good faith.

Hearing on the merits to be held at 9:30 a.m. on September 14, 1989.

Signed this 3rd day of August, 1989.


EDWARD J. HASELTINE, CHAIRMAN

By unanimous vote: Chairman Edward J. Haseltine, Seymour Osman and Richard E. Molan.